

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:16-CR-2-1H

UNITED STATES OF AMERICA,

v.

DONTRELL MCDONALD,

Defendant.

ORDER

This matter is before the court on defendant's motion for copies of his docket sheet, sentencing transcript and Rule 11 hearing (plea colloquy). Defendant alleges he has no funds and requests that the court send him copies free of charge.

The docket sheet in this action shows that on August 10, 2016, defendant was sentenced to a term of imprisonment of 30 months by the court. He did not file an appeal from the judgment of conviction and sentence. The docket indicates that there are no other pending appeals or motions for relief from the judgment.

Federal inmates are not entitled to documents and materials at government expense for collateral attacks on their convictions, absent some showing of a particularized need. United States v. MacCollum, 426 U.S. 317, 326-27 (1976); United States v. Gallo, 849 F.2d 607 (Table), 1988 WL 60934, at \*1 (4th Cir. May 31, 1988) ("Copies of transcripts and court records may be provided to an indigent litigant at government expense upon a

showing by the litigant of a particularized need."). "An indigent is not entitled to free copies 'merely to comb the record in the hope of discovering some flaw.'" Gallo, 1988 WL 60934 at \*1 (quoting United States v. Glass, 317 F.2d 200, 202 (4th Cir. 1963)).

In consideration of the entire circumstances, the court grants defendant's request for a copy of his docket sheet and directs the clerk to mail a copy to defendant without charge. The court notes the defendant shall not be granted further copies at no charge without an additional showing of a particularized need as to requested document. The current cost for copy requests is \$.50 per page should defendant wish to purchase documents. The court notes there are no transcripts on the docket, as no appeal was filed.

This 17<sup>th</sup> day of February 2018.

  
Malcolm J. Howard  
Senior United States District Judge

At Greenville, NC  
#26